

DISTRICT ATTORNEY

OF THE

COUNTY OF NEW YORK

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MEMO ENDORSED

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March 15, 2007

ROBERT M. MORGENTHAU
DISTRICT ATTORNEYBY HAND

Honorable Kenneth M. Karas
United States District Judge
United States Courthouse
500 Pearl Street, Room 920
New York, New York 10007-1312

06 CV 0433
Dunlop v. City

Your Honor:

This letter is sent in connection with the above-captioned matter, a case brought pursuant to 42 U.S.C. § 1983 against, inter alia, New York County District Attorney Robert M. Morgenthau and former Assistant District Attorney Willa Concannon.

Pursuant to the Court's recent order (Docket Entry No. 36), defendants Morgenthau's and Concannon's pre-answer motion to dismiss this action is due on March 15, 2007. I am writing to request an extension of the Court's 25-page limit applicable to memoranda of law submitted in support of such motions. The second amended complaint filed by plaintiff encompasses over 180 separately-numbered paragraphs, and presents numerous procedural and substantive issues that are pertinent to defendant Morgenthau's and Concannon's motion. Despite my best efforts I have been unable to address these issues adequately within the 25 pages allotted by the Court's individual rules; indeed, it has taken almost 10 pages just to set forth the pertinent factual background. Accordingly, I respectfully request that the Court allow defendants Morgenthau and Concannon to file a memorandum not to exceed 30 pages in support of her motion to dismiss.

I appreciate the consideration of the Court of this request.

Respectfully,

Michael S. Morgan (MM-9360)
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Director, Civil Litigation Unit
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cc: all counsel
(by fax)

Defendants Morgenthau and

Concannon may file a 30-page brief
in support of their Motion to Dismiss
SO ORDERED

KENNETH M. KARAS U.S.D.J.

3/14/07